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THE BENNETT LAW IN WISCONSIN

LOUISE PHELPS KELLOGG

The political significance of the Bennett Law agitation has long been a matter of record. German-American opposition to the law's provisions completely overturned the government of Wisconsin in the year 1890, elected a Democratic governor and legislature, sent in the succeeding years two Democratic senators and several Democratic representatives to Congress, and gave Wisconsin's vote to Grover Cleveland at his second election in 1892. The social significance of the agitation is realized only in connection with the present world crisis, and with Wisconsin's share in the nation's war upon Germany. The conditions of Wisconsin's German settlements, as revealed by the Bennett Law discussion, have an important bearing upon our present problems.

The Bennett Law was simply a compulsory educational law designed to prevent nonattendance and truancy in the schools, and child labor in the factories. In 1879 a compulsory school law had been placed upon the statute books. Its inefficacy was revealed by the biennial report for 1887-88 of Superintendent of Public Instruction Jesse B. Thayer. He called attention to the proportional decrease in public school attendance as compared with the state's increase of population.¹ The numbers of children in the private and parochial schools he had not succeeded in obtaining. Statistics were produced during the Bennett Law campaign to show that from 40,000 to 50,000 children of the state, between the ages of seven and fourteen, attended no school. The extent of the state's illiteracy was thus called to the attention of the officials, whereupon Governor William D. Hoard in his first annual message of 1889 to the state legislature used these

¹ *Biennial Report of the State Superintendent of the State of Wisconsin for the years 1887-88* (Madison, 1888), 17-20.

words, which have become historic: "The child that is, the citizen that is to be, has a right to demand of the State that it be provided as against all contingencies, with a reasonable amount of instruction in common English branches. Especially has it a right to demand that it be provided with the ability to read and write the language of this country. In this connection I would recommend such legislation as would make it the duty of county and city superintendents to inspect all schools for the purpose and with the authority to require that reading and writing in English be daily taught therein." ²

In response to the governor's recommendation a bill was introduced into the Assembly whose provisions were less drastic than the measures proposed by the message. The bill did not provide for inspection of private and parochial schools; in fact it made no reference of any kind to these institutions. It merely required the attendance of every child between the ages of seven and fourteen upon some school, in the district where he resided, for not less than twelve weeks, subject to a fine or penalty imposed upon the parents for noncompliance. The enforcement of this provision was placed in the hands of the local school boards, who were given discretionary powers where physical or mental conditions rendered noncompliance inexpedient or impracticable. In section five it was declared that "no school shall be regarded as a school unless there shall be taught therein, as part of the elementary education of children, reading, writing, arithmetic and United States history, in the English language." Other sections provided against truancy and the employment of child labor. No person, apparently, saw anything about the bill obnoxious to any class of the population. It went through the usual routine of the legislative factory and was introduced into the Assembly by Michael John Bennett, of Iowa County, chairman of the house committee on education. Several hundred copies of the bill had been sent beforehand to prominent

² *Message* of Governor William D. Hoard, Jan. 10, 1889, p. 17.

educators of the state, none of whom perceived in the proposed measure anything in the least detrimental to our educational systems.³ There was no division on the question in the Assembly, and the bill passed without a dissenting vote.

The Senate committee on education was presided over by Christian Widule, a Milwaukee German-American, member of the Lutheran church, and a legislator of experience. He saw nothing objectionable to his constituents in the bill, and its passage in the Senate was like that in the Assembly, unopposed. Governor Hoard affixed his signature April 18, 1889, and the bill passed apparently into the limbo of routine laws, unnoted by the community at large.

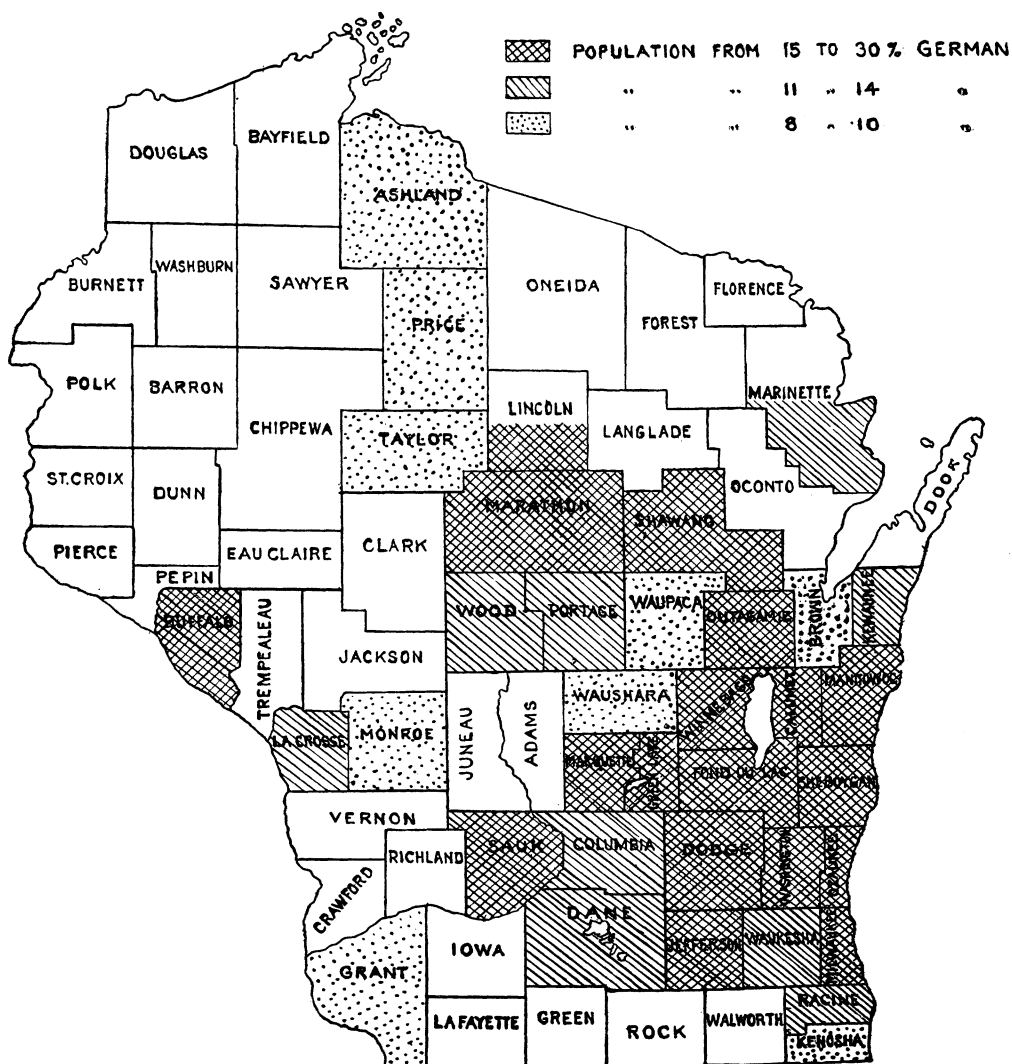
After the law became an issue between the two political parties of the time, attempts were made to ascertain its parentage. Its opponents claimed that they were fighting "outside interference" with Wisconsin affairs, that the bill was framed by parties from the East, who were trying to foist "nativism" or "know-nothingism" upon the Middle West. In corroboration of their contention they pointed to the Illinois law passed in the same year, with almost the identical provisions of the Bennett Law.

Its supporters, on the other hand, insisted that the bill originated among Milwaukee Germans, and was introduced chiefly to prevent child labor, that its compulsory features were adapted from the legislation of other states by Robert Luscombe, a Milwaukee attorney, and that the measure was submitted to many representative Milwaukee Germans, before being sent to the legislature at Madison.⁴

Whatever is the truth about the authorship of the law, it is plain that its obnoxious character was not discovered until some time after its passage, and that this character was first revealed to the community by the protests of German reli-

³ Letter of Assemblyman M. J. Bennett printed in *Milwaukee Sentinel*, Oct. 28, 1889, to reply to the charge that the bill was "railroaded" through the legislature by unfair tactics.

⁴ *Chicago Herald*, March 9, 1890, copied in *Madison Democrat*, March 11. See also *Milwaukee Sentinel*, March 13, 1890.



MAP SHOWING THE DISTRIBUTION OF THE GERMAN SETTLEMENTS IN WISCONSIN,
 BASED ON THE CENSUS OF 1880

gious bodies, interested in the maintenance of parochial schools. In order to understand the extent and importance of the opposition evoked, it will be necessary to analyze briefly the factors in the German settlement of Wisconsin.

There is a general impression that the earliest and most influential, if not the largest body of German immigrants to Wisconsin, belonged to the class now known as "intelligentsia," the liberal and educated men who escaped from Germany because of political persecution after the unsuccessful Revolution of 1848. This class, known as "Forty-eighters," and represented to the Nation at large by Carl Schurz and his compeers, comprised but a small section of Wisconsin Germans, and although much before the public, was less influential with contemporary German-Americans than has been commonly supposed.

The earliest groups of Wisconsin Germans left the fatherland to escape religious rather than political persecution, and that not because they were more progressive, but because they were more conservative than their contemporaries in the prevailing state churches of their several localities.⁵ Moreover, the emigration was arranged and conducted by the pastors of congregations, which settled as colonies upon large areas of Wisconsin's public land.⁶ Even after persecution had ceased in Germany, congregational groups, closely knit by religious and social similarity, usually headed by their pastors, continued to emigrate and to build on Wisconsin soil a village for each group with a church and school similar to those in the home land.⁷ Thus in the New World German communities were reproduced with the institutions and atmosphere of the German home, where their former language, customs, and modes of thought were perpetuated.

⁵ William H. Whyte, "The Settlement of Lebanon, Dodge County" in *Wis. Hist. Soc. Proceedings*, 1915, 99-110.

⁶ Mrs. Kate Everest Levi, "Geographical Origins of Wisconsin Germans," in *Wis. Hist. Colls.*, XIV, 342-51.

⁷ Kate A. Everest, "How Wisconsin Came by Its Large German Element," in *Wis. Hist. Colls.*, XII, 333.

This method of settlement with its close community life should be studied in relation to the geographical distribution of the German population of the state.⁸ The most of the German-Americans were in 1880 grouped in the lake-shore counties, and those directly back of them, Jefferson, Dodge, Fond du Lac, Marquette, Green Lake, Winnebago, and Outagamie, with a contiguous northern spur in Shawano and Marathon counties. The German settlers of the state thus formed a fairly solid block of population, extending from Milwaukee northward along the lake shore to Green Bay, westward to Rock River, and northward along the upper Wisconsin, in a remarkably compact geographical unit.

The solidarity of Wisconsin German settlement is still better understood when the origin of the groups in the homeland is studied. Some years ago a very careful survey was made of the regions from which the German immigrants to Wisconsin came.⁹ In this study it is disclosed that by far the larger portion of them, especially those forming the compact eastern geographical unit, emigrated from North Germany and from those provinces that are a part of the kingdom of Prussia. Moreover they were from the part of Prussia—Pomerania, Posen, West Prussia—that constitutes the very heart and center of junkerdom, where are located the vast feudal estates of the Prussian nobility, the laborers and villagers of which are still held in a kind of serfdom under the domination of church and state. Thus a large number of Wisconsin immigrants had long been under the dominion of a feudal caste, and had been rendered docile and subservient to superiors, whether of church or state, by long centuries of subordination.¹⁰ Having by immigration freed themselves from the overlordship of the nobles, they turned to the advice and assistance of their pastors, and docilely yielded to the leadership of the Church. Thus was

⁸ See map on page 6, reproduced and adapted from that in *ibid*, 304.

⁹ *Wis. Hist. Colls.*, XIV, 341-93.

¹⁰ *Ibid*, 348, 351-52.

developed a clannish spirit and a strong desire to perpetuate Old World surroundings, customs, and habits in the New. These immigrants came to America for economic, not for social freedom. They desired Americanization, only in so far as it was necessary to make a living.¹¹ Settled in German communities, they came in slight contact with Americans. They clung with much tenacity to the habits, customs, and language of the fatherland, and their purpose was to keep their children in the same social structure and under the same régime of isolation and tutelage in which they were themselves. Thus grew up a "Germandom"¹² in the heart of Wisconsin—a body of people speaking only the German language, maintaining the customs and culture of their first home, and supporting at least a sentimental and spiritual connection with European Germany.

The bulk of the North Germans were of the Lutheran faith; their churches and the schools attached to them were the center of their system of "Germandom." The tendency of the younger generation was to break away from the home customs, to learn the English language, to mingle and assimilate with the youth of the land wherein they were born. The Lutheran Church and the parochial school system were the bulwarks on which the older people relied to maintain their racial exclusiveness. It frequently happened that in the smaller communities the parents were more Americanized than the children. Instances were cited during the Bennett Law discussion, of English-speaking fathers, natives of Germany, whose children, born in Wisconsin, knew only Ger-

¹¹ *Sentinel*, Aug. 8, 1899; an opponent of the Bennett Law wrote, "The average German did not come to the United States to be Americanized."

¹² The word "Germandom," constantly employed by the American press during the Bennett Law discussion, is a translation of the German word "Deutschthum." An adherent of this doctrine was called a "Germanist." The *Reformer*, German labor organ (cited in the *Sentinel* Oct. 25, 1889), said, "The Germanists or German Know-nothings must not be permitted to form a state within a state. * * * A man may be both a German and a good American citizen, but can he be a good American citizen and a Germanist?"

man.¹³ This was the condition of affairs that the Bennett Law was designed to modify.

With the emigrants from South Germany, conditions were somewhat different. Their settlements were more scattered, and more in contact with Americans. The outlying German groups, for instance those in Sauk and Buffalo counties, were South Germans. But they were nearly all Catholics, and the priests in charge of their congregations were, as a rule, German born. In 1889 the archbishop of Milwaukee, and the bishops of the two dioceses of Green Bay and La Crosse were natives of Germany. Most of the Catholic parochial schools were taught in German, and the anti-Bennett Law agitation brought about the phenomenal union of Lutherans and Catholics upon a single platform. The Catholic opposition to the law was in its inception less pronounced, and on the whole was less aggressive than the Lutheran. This was doubtless due to non-German elements in the Catholic Church, especially to the English-speaking Irish. It was not until March 12, 1890, that the three prelates of the state issued a formal manifesto against the Bennett Law, and that the whole force of the Catholic hierarchy was employed to obtain its repeal.

Quite different was the attitude of the liberal-thinkers in religious matters, who deplored the limited vision of both Catholics and Lutherans. Most of these "free-thinkers" were members of the Turnvereins, which as a rule were pronouncedly in favor of the Bennett Law. A considerable number of the "intelligentia" were, however, owners or editors of the German press. As such they were interested in maintaining not only a sentimental attachment for things German, but also the habitual use of the German language. The too rapid growth of the knowledge of English

¹³ Letter from Stevens Point, dated Feb. 5, 1890, printed in *Sentinel*, Feb. 7. In issue of *ibid*, Feb. 12, a German-American argued that there was no necessity of learning English, since in many communities of the state only German was used, and it was almost universally understood.

meant a decrease in subscriptions and a consequent loss of income. Thus prudential motives led German editors, with a few notable exceptions, to regard the Bennett Law with suspicion, and to consider it a curtailment of personal liberty.¹⁴ The same kind of motives explains in part the attitude of the educated clergy. These churchmen recognized in the English requirements of the Bennett Law the beginning of the end of German language schools and churches. They considered the law the "entering wedge," in a process that would end in the disuse of the German language, and the termination of their own usefulness. Thus, for the most part they were unable to reason calmly about the provisions of the Law.

A study of the Bennett Law agitation throws into relief the social and historical conditions of the larger number of German communities in Wisconsin. These communities, both urban and rural, were settled around a church and a parochial school, conducted largely in German. That language was the habitual one. German books alone were read, German songs were constantly sung, and the newspapers read by the people were printed in German.¹⁵ As distance lent enchantment to the scenes of early life, Wisconsin Germans dwelt with ever-increasing fondness upon the ways of the fatherland; their dearest hopes were to rear their children with a similar attachment, and to impress them with the superiority of things German over things American.

After the founding of the empire in 1871, to the idyllic memories of early life was added a pride in the recent achievements of Germany. Thereafter in some quarters, a touch of the arrogance that has in recent years irritated the world against the Teuton appeared in the utterances of Wisconsin Germans. Occasionally one boldly stated that it was hoped

¹⁴ See an interesting discussion on the difficulty of Americanizing well-educated German immigrants in Wis. Hist. Soc. *Proceedings*, 1897, 105-106.

¹⁵ The value of the German press as a stage in the process of Americanization should be recognized. These papers brought much information about American life and customs to the attention of those who could not read English. See *ibid.*, 112.

that the Germans would remain a distinct class in the United States, that they and their posterity would constitute a separate and perhaps a superior element in the great current of American life.¹⁶ As the national pride grew the determination to maintain a "Germandom" in America grew likewise. This determination was stimulated by recalling the services to America of historic German-Americans. The exploits of De Kalb, Herkimer, and Muhlenberg in the Revolution were dwelt upon; the heroism of the Civil War veterans of German birth was constantly recalled. Wherever a man of German ancestry (and they are many) had rendered distinguished services to America, his name became a household word.¹⁷

Along with this pride of race grew the pride of language. "Hold fast to the German customs and manners and the dear mother tongue," was the adjuration oftenest addressed to the German voters of Wisconsin.¹⁸ Dwelling upon this subject brought out the declaration that German was not a "foreign" language in America. "Having been spoken for centuries by a not inconsiderable number of the population of the Old Colonies and of the revolutionary heroes, and at present by millions of the inhabitants of the States and Territories—it is no more a *foreign* language than the English language, which like the German was not spoken by the natives of this Country, but was imported from foreign lands."¹⁹ When the term "German-American" was used, the hyphenated word "English-American" was applied to the other members of the community. Attempts to introduce the English language

¹⁶ Summary of an article from the *Germania*, published in the *Sentinel*, Dec. 27, 1889.

¹⁷ October 6, 1890, during the heat of the gubernatorial campaign, a German-American day was celebrated in many districts of the state. In Milwaukee huge floats pictured the first settlement at Germantown, Pennsylvania, the deeds of Herkimer, Muhlenburg, and other Revolutionary heroes. Both Candidates Hoard and Peck spoke to the assembled concourse.

¹⁸ *Germania*, March 28, 1890.

¹⁹ Christ. Koerner, *The Bennett Law and the German Parochial Schools* (Milwaukee, 1890), 10. This was a campaign pamphlet now preserved in the Wisconsin Historical Library.

were labeled as efforts of "nativism," a revival of the "Know-nothing" enmity to recent comers from Europe. It was into communities imbued with such ideas of German life in America that the Bennett Law came with an awakening shock of danger. They met it by direct action with such unanimity that the entire body politic was aroused, and a political campaign unlike any other in the history of the state ensued.

The German voters had for years constituted the great bulwark of the Republican party in Wisconsin. The earliest German immigrants were Democrats, but during the agitation of the slavery issue they rapidly became Free Soilers, and about 1856 they nearly all united with the Republican party.²⁰ They supported the party of freedom and union throughout the Civil War, and Governor Edward Salomon, of German birth, carried the state safely through the darkest and stormiest period of that conflict. Thenceforward the Republican leaders counted upon an almost solid German vote. During the reforms of the first Cleveland administration some of the German intellectuals became Democrats because of their civil service and tariff reform principles; but the great mass of the German-Americans in Wisconsin, through their very conservatism, clung tenaciously to the party to which they had for a generation belonged. Nothing but what they considered an attack upon their churches, schools, and language could have carried them en masse from one party into that of the opposition. Before outlining the steps by which this result was achieved, it will be necessary to define the position of the German press of Milwaukee, which was chiefly instrumental in conducting the anti-Bennett Law campaign.

There were in 1889 four daily papers published in the German language—the *Arbeiterszeitung* (after December, 1889, the *Volkszeitung*, when it had absorbed the *Tägliche Reformer*), the organ of the labor and Socialist element; the

²⁰ Ernest Bruncken, "Political Activity of Wisconsin Germans, 1854-60" in Wis. Hist. Soc. *Proceedings*, 1901, 190-211.

Freie Presse (which in January, 1890, became the *Abend Post*); the *Herold*; and the *Seebote*. Of these the first two supported the Bennett Law, the last two opposed it. The *Seebote* was an independent Democratic sheet owned and edited by ex-Congressman P. V. Deuster. It came into the contest as a Democratic organ, and strongly upheld parental rights and personal liberty. The *Herold* was a strong Republican paper, the founder of which, W. W. Coleman, had died in 1888. His son, Edgar W. Coleman, hesitated long between the traditions of the party and those of the language. October 14, 1889, the *Sentinel* in an editorial stated, "After sitting on the fence for several months and watching the controversy concerning the Bennett law, our neighbor, *The Herold*, softly gets down on the side of its opponents." The three most influential German weeklies were the *Germania*, the *Columbia* and the *Excelsior*. The latter two were Catholic organs; the *Germania* was the official Lutheran paper. The editor of the latter was George Koeppen, a highly-educated man and an able penman. Its legal editor, Christ. Koerner, was the leader of the anti-Bennett Law forces. It was in the pages of the *Germania* that the contest was begun, and it was in great part due to its influence that the opponents of the law were successful.

The first mutterings of the storm were heard in June, 1889. Two German synods in session respectively at Portage and Sheboygan passed resolutions denouncing the educational law passed at the late session of the legislature as an attack upon German churches, schools, language, and press.²¹ June 20-25 the Evangelical Lutheran synod of Wisconsin met at St. Peter's Church, Milwaukee. On the latter date resolutions were passed declaring that the new school law was oppressive and tyrannical, that its enforcement threatened the existence of the synod's schools and churches, and that it

²¹ Milwaukee *Journal*, June 15-18, 1889.

ought to be repealed.²² A committee of six prominent pastors, editors, and professors was appointed to take steps to carry these resolutions into effect; this committee first suggested that the Germans of the state should "emphasize their declaration at the ballot-box."²³ July 27, a German pastor wrote of "crushing the Republican party" if it did not yield to the demand for repeal.²⁴ These threats of political action, however, were in the early stages of the discussion merely sporadic; the committees first proposed that the law be ignored, and if prosecution ensued, its constitutionality be tested in the state supreme court.²⁵

The Milwaukee *Sentinel* was the first newspaper to take up the challenge thrown down by the champions of the Lutheran Church. It sent Henry E. Legler, then a member of its staff, to visit the parochial schools of Milwaukee; his report proved that the Lutheran schools of the metropolis were well within the law, which had no application to institutions wherein English was taught for twelve weeks of the year.²⁶ It was this report and the subsequent editorial comment that forced the issue into the light of day. It was the language requirement to which the church authorities objected. The Milwaukee schools were by no means typical of parochial schools throughout the state. Case after case came to light in the subsequent discussion of children born and reared in Wisconsin who were unable to speak a word of English.²⁷ From Manitowoc came the statement that not one in ten of the parochial schools in that county taught a word of English.²⁸ It was asserted that even public schools in the thickly settled German districts were conducted wholly in German.²⁹ In fact, said the Manitowoc County *Chronicle*,

²² *Sentinel*, June 25, 1889.

²³ *Journal*, June 24 and 25, 1889.

²⁴ *Sentinel*, July 27, 1889.

²⁵ *Ibid*, July 15; *Journal*, July 9, 1889.

²⁶ *Sentinel*, July 1, 2, 3, 7, and 8, 1889.

²⁷ *Ibid*, Sept. 21; *Oshkosh Times*, Nov. 8, 1889.

²⁸ Manitowoc *Pilot*, reprinted in *Sentinel*, July 5, 1889.

²⁹ *Sentinel*, Nov. 27, 1889.

“strike the two words *in English* from the law and not a churchman in the State could be found to raise his voice against it.”³⁰

During the heat of the contest each political party accused the other of having brought on the conflict. In truth neither Republicans nor Democrats were eager to bring the Bennett Law into the political arena; it was the situation itself that forced the issue. The methods of the two parties were necessarily different: the Republicans sought to soothe, convince, and persuade; the Democrats sought to avoid the issue. Thus the Milwaukee *Sentinel*, leading organ of the party in power and chief supporter of Governor Hoard, filled its columns with simple, reasonable, well-written editorials urging the need of the law, the harmlessness of its provisions, the ease with which its requirements might be met, and the advantages that would ensue to the Germans themselves and their children from its enforcement. The Madison *Democrat*, on the other hand, throughout the critical summer and autumn of 1889 carefully avoided all mention of a subject that was agitating the minds of nine-tenths of the people of Wisconsin. The Democratic Milwaukee *Journal*, edited by Lucius W. Nieman, raised other issues, largely ignored the Bennett Law, and as late as December 26, 1889, wrote “It is amusing to read the efforts [of the Republican papers] to convince the public that the Democrats are making the Bennett Law a political issue.” None the less the Democratic leaders had by this time begun with a quiet astuteness to make approaches to the German voters. Not to appear too anxious was for a time their best policy. They were not ready, as a German Democrat of Oshkosh stated, “to barter off the common school system to carry a caucus.”³¹ They preferred to throw the onus of the law’s passage upon the Republican legislature, and to await the turn of events for the moment to declare against the law.

³⁰ Reprinted in *Ibid.*, Oct. 4, 1889.

³¹ Article by Charles W. Felker, of Oshkosh, printed in the *Sentinel*, March 6, 1890.

Governor Hoard, on the other hand, less astute and more outspoken, attempted to defend the law in several speeches made during the autumn of 1889 at farmers' institutes and county fairs. It was asserted by some that the country Germans were favorable to the law, and that the opposition existed only in the religious press at Milwaukee.³² It was known that Hoard had not been in 1888 the chosen candidate of the Republican State Central Committee, and politicians saw in his championship of the Bennett Law an attempt to secure his renomination in 1890. He spoke enthusiastically about the "little schoolhouse" as a watchword to rally the people to his standard. No one who reads the speeches of the campaign can doubt the governor's sincerity, or his enthusiasm for the cause of popular education. The Republican managers, less courageous and more weatherwise, attempted to restrain his ardor in the interests of prudence. November 11, 1889, Governor Hoard wrote a letter to Hon. John Luchsinger, of Monroe, stating his position on the Bennett Law. The latter retained the letter for several days fearing its contents were calculated to arouse a storm of criticism. November 28, Mr. Luchsinger received from Henry C. Payne, chairman of the Republican State Central Committee, a request to have the communication printed.³³ November 30, it appeared simultaneously in the Milwaukee *Sentinel*, the Madison *State Journal*, and other prominent Republican papers. In it Governor Hoard gave at some length his en-

32. Milwaukee *Journal*, Oct. 21, 1889.

33. The letter of Payne has never before been made public. It was recently presented to the Society by Mr. Luchsinger. It reads:

Milwaukee, Nov. 28th, 1889.

Friend Luchsinger

I understand Gov. Hoard has written a letter to you giving his views of the "Bennett Law" at length.

I write this to request that you will publish the letter in your local paper [it first appeared in the Monroe *Sentinel*] and send a marked copy to Horace Rublee of Sentinel—

Gov. Hoard assents to this, and I hope you will do it—you can publish it without making your name public if you prefer.

Yours truly

H C Payne

dorsement of the Bennett Law, enlarged upon its benevolent character in the interests of immigrant children, and closed by asserting that the law would not be made an issue in the next election unless it was forced into the campaign by its opponents.

The effect of this communication was not at all what had been hoped by the Republican leaders. Instead of allaying it increased the storm of opposition. Sarcastic references appeared in the German and the Democratic papers to the governor's solicitude for the "poor little German boy," which was so much greater than that of the child's parents. The term "parental rights" became a watchword of the campaign. It was soon evident that the German Republicans would demand the repeal of the law as the price of their adherence to the party.

The champions of Anti-Bennettism had already begun to threaten a measure of "frightfulness," to apply the term to a political method. The *Columbia* on November 17, 1889, said, "Perhaps it would be well for German blows to be felt in Wisconsin." At a meeting held December 27, 1889, at the home of Pastor Bading of St. John's Evangelical Lutheran Church of Milwaukee, Colonel Conrad Krez, a recently deposed Democratic official, was reported to have said, "The law is tyrannical * * * We want to be understood that we are the state! We pay the officials, the governor, the legislature.

* * * The Germans only want their rights as they have had them heretofore; if they suffer them to be taken away from them, then they are not worthy to speak the language of Luther. * * * But they will only be heeded if they are feared." ³⁴

The meeting above alluded to had important consequences. It was attended by a number of laymen, Catholic

³⁴ *Der Herold*, Dec. 29, 1889, translated in the *Sentinel*, Dec. 30. It is due to Colonel Krez to state that he protested the *Herold's* report of his speech, but in his protest he emphasized the statement "that it was necessary to strike their opponents with fear and for that purpose to organize their voting powers." See the *Sentinel*, Jan. 1, 1890.

as well as Lutheran. They passed resolutions asserting that *without distinction of party* they would give their support at the next election only to candidates opposed to the law, who would vote for its repeal. Thus was cemented the union between all opponents of the law, and notice was served that German-Americans would make it an issue at the ballot box. Colonel Krez picturesquely summed up the German understanding of the situation: "Why all at once this war on the Germans here in Wisconsin as well as in Illinois? For the Bennett Law indeed means war."³⁵

Under the guidance of such leaders, the German voters were promptly convinced that the Bennett Law was a covert attack upon their mother tongue, their parochial schools, and their religion, upon personal liberty and freedom of conscience. They were convinced that it arose from hatred to foreigners, that it was sinister in its purposes, in short, that it was intended as a blow against all they held most dear. They, on their part, protested that they had no hostility to the public schools nor to the English language, that they wished merely to be let alone, to be permitted to live their own lives, and to bring up their children according to parental rights. On both sides there was more or less misrepresentation and misunderstanding. The ignorant Germans understood that by the Bennett Law their language was prohibited in their schools and churches, that if the law was enforced they could be fined and imprisoned for sending their children to parochial schools, and that the law was aimed at the destruction of all religion.³⁶ A panic fear seized upon the minds of the lovers of the German language and customs, and the reasonable appeals of the English-speaking Republicans were of no avail. In vain it was represented that German was taught in the public schools, that a knowledge of both English and German was desirable, that the law was not hostile to

³⁵ *Ibid.*

³⁶ Wausau *Torch*, cited in *Sentinel*, Jan. 20, 1890.

parochial schools. The larger number of Wisconsin Germans had become convinced that the Bennett Law was sinister in its designs, and had determined to express their disapproval of it at the polls.

Singularly enough, and as a matter of mere coincidence, the state supreme court handed down a decision March 19, 1890, upon a case involving the reading of the King James version of the Bible in the public schools. The Catholics had entered a plea that such reading was sectarian instruction, forbidden by the state constitution, and the court upheld this contention. The effect of this decision was to render the supporters of the public schools determined not to yield to any demands of the Catholics, who were supposed to be planning for a division of the school funds. The Lutherans distinctly denied any such design upon the school funds, asserting their willingness to pay taxes for the public schools, and at the same time to support their own parochial schools, provided they were permitted to manage them without interference. None the less the supreme court decision accentuated the distrust of parochial schools in the minds of the English-speaking Protestants of the state, and widened the breach between the several religious elements.

The Bennett Law agitation made its début as a political issue in the spring of 1890 at the Milwaukee municipal election. The municipal election of Oshkosh was likewise influenced by the same issue. February 27 a joint declaration was issued by the German Protestants of Milwaukee that they would vote for no aldermen who were not pledged to the repeal of the Bennett Law. Anti-Bennett Law Clubs were formed throughout the city, most of them in connection with the Lutheran Church societies. The *Herold*, encouraged by an attack upon "nativism" in the New York *Staatszeitung*, supported the Anti-Bennett Law agitation. As an incident in the struggle, Editor George Koeppen of the *Germania* declined the appointment offered him by Governor Hoard,

as regent of the state university, "in order to emphasize his disapproval of the Bennett Law."³⁷

March 13, the manifesto of the Catholic prelates appeared placing the Church squarely on an Anti-Bennett Law platform.³⁸ In response the Turners of Milwaukee passed resolutions supporting the law and denouncing the attempt of the Church to meddle in political affairs. March 22, the Republicans held a convention and renominated the mayor of Milwaukee, Thomas H. Brown. Henry C. Payne on this occasion made a conciliatory speech, advocating the amendment of the Bennett Law, while maintaining the necessity of public education, and the natural right of all American children to learn the language of the country. Three days later the Democrats held their convention; their platform met the issue squarely, declared for the repeal of the law since it was uncalled for, harsh, unjust, and infringed the rights of conscience and of parents. Their candidate for mayor was George W. Peck, a journalist humorist, best known as the author of *Peck's Bad Boy*.

The campaign that ensued was short and stirring. The church authorities bent all their resources to its winning; every Lutheran and Catholic voter was visited by his priest or pastor, and his aid solicited. Peck in an astonishing speech described the Bennett Law as the forerunner of a prohibitory one, both encroachments by the puritan element upon personal liberty. When, on April 2, the votes were counted, Peck was found to be elected by a plurality of about 4,000. The Republicans and the law's supporters had met their first defeat.³⁹ The day after the victory the *Seebote* said, "We will not be robbed of the dear speech in which our mothers

³⁷ *Sentinel*, March 8, 1890.

³⁸ The bishops argued that the law was unnecessary, offensive, and unjust, because (1) it interferes with parental rights; (2) it threatens unjust penalties; and (3) it opens the avenues to partiality and injustice. March 19, Governor Hoard replied to the bishops' letter. See *Chicago Times* of that date.

³⁹ All the Milwaukee papers are filled with details of this brief campaign. The *Sentinel's* editorial pages from March 22 to April 2, 1890 contain almost no other matter than that bearing on the Bennett Law.

taught us our first songs. The German language shall be maintained in America." The *Germania* exulted over "the wonderful victory for Germandom over narrow-hearted nativism." The Chicago *Times*, however, chief Democratic organ of the Middle West, declared, "If the State follows Milwaukee, the Democrats will meet a deserved defeat. The State of Wisconsin has the right to Americanize its foreign population."

By the middle of April both Catholic and Lutheran papers had served notice on the Democrats that the Bennett Law would be an issue in the fall elections. If the party refused to obey the Germans' behests, they would call an Anti-Bennett Law party into life.⁴⁰ May 10 an official call was issued for an Anti-Bennett Law convention to meet in Milwaukee on June 4. May 26-28 a convention of Catholic benevolent societies held in Milwaukee was made the occasion for a fierce attack upon the law. As the Chicago *Herald* stated, "The opposition is directed against what the law is believed to be, not against what it is."⁴¹ Catholic opposition was at this period combined with anti-Masonry, Bishop Katzer attacking the Masonic order as the secret author of the law.⁴²

Before the meeting of the Anti-Bennett Law Convention, one last effort was made by the Lutherans to compromise with the Republicans. The *Germania* offered a substitute for the Bennett Law, which required all children to attend school sixty days in the year, but *omitted the English requirement*.⁴³ The primary objection to the law was once more made clear.

The drama now moved swiftly to its denouement. No attempt was made by the Republicans to accept the Lutheran olive-branch. The nominations of Hoard and Peck for governor were foreordained; the platforms of the contending

⁴⁰ *Columbia*, April 15, 1890; *Seebote*, April 16; *Catholic Citizen*, April 26.

⁴¹ Chicago *Herald*, May 26, 1890.

⁴² *Sentinel*, May 28, 1890.

⁴³ *Germania*, May 31, 1890. The italics are ours.

parties met the issue squarely. The Republicans supported the principles of the law, while offering to amend certain objectionable phrases. The Democrats denounced the law as unnecessary, unwise, unconstitutional, un-American, and un-Democratic, and demanded its repeal.

The other foreign elements of the state were as much affected by the Bennett Law as were the Germans. The Bohemians and Poles, however, were both Democratic and Catholic, so little hope was offered of swaying their vote.⁴⁴ The great majority of the Scandinavians, on the other hand, were Republican, and eager for the Americanization of their children. An effort to unite them with the opponents of the law was quite successful by utilizing the "district" clause of the bill. The Scandinavians had parochial schools, but not in large numbers; it was represented to them that the law forbade them to patronize any schools but those of their own district, and thus many who favored teaching English in all schools, were induced to vote for the repeal of the Bennett Law.⁴⁵

The campaign was unexampled for earnestness and intensity. The "Little Schoolhouse" was the symbol of the Republicans, "Stand by it," their rallying cry. October 9, 1890, Hoard wrote from the executive chamber, "The *duty* of the State to require, and the *right* of the children of the State to receive instruction in the language of the country shall be insisted on."⁴⁶ Senator Spooner stumped the state making speeches of great effectiveness and persuasiveness. The Republicans were confident of a successful result.⁴⁷

⁴⁴ The Bennett Law supporters printed appeals in German, Polish, French, Norwegian, and probably in other languages, headed by a cut marked in the several languages "The Little Schoolhouse" (surmounted by an American flag); "Stand by it."

⁴⁵ *The Life Story of Rasmus B. Anderson as told by himself, with the assistance of Albert O. Barton.* (Madison, 1915), 594-600.

⁴⁶ Broadside in possession of Wis. Hist. Society.

⁴⁷ A Republican journalist who campaigned with Hoard through the lake-shore counties recalls that the party expected a plurality of 100,000 for Hoard.

The Germans on their part were not less active. The Anti-Bennett Law Clubs, used with such effect in the Milwaukee municipal campaign, spread over the state. Thousands of German leaflets were printed; songs were prepared whose refrain was "Unser Sprache und Sitten, die geben wir nicht hin."⁴⁸ Individual voters were solicited by pastors and priests. The result is well known; the forces of "Germanism" united with the Democratic machine made a clean sweep of the state. Peck was triumphantly elected, and at the legislative session of 1891 the Bennett Law was repealed.

But in its defeat, the principle of the law triumphed. In their very eagerness to prove that it was unnecessary, its opponents began to obey its behests. In its weakness appeared its strength. April 22 it was announced that the Lutherans had revised their school curriculum and introduced therein more English.⁴⁹ By August, the parochial schools of Manitowoc County had so improved in the teaching of English, that scarce one was to be found that would be disqualified under the Bennett Law.⁵⁰ The discussion had accomplished what the law could not do: the stronghold of "Germanism" was demolished. "It never shall happen again" became the motto of wise Germans; and as the heat of the conflict died away, and the animosities it awakened softened, the beneficent purpose of the law stood revealed. Gradually the teaching of English became the rule, not the exception, in all the schools of the state. Slowly Wisconsin Germans came to accept the plea of their noblest leader: "Let us never forget that we as Germans are not called upon here to form a separate nationality, but rather to contribute to the American nationality the strongest there is in us, and in place of our weakness to substitute the strength wherein our fellow-Americans excel us, and blend it with our wisdom. We should never forget that in the political life of this republic,

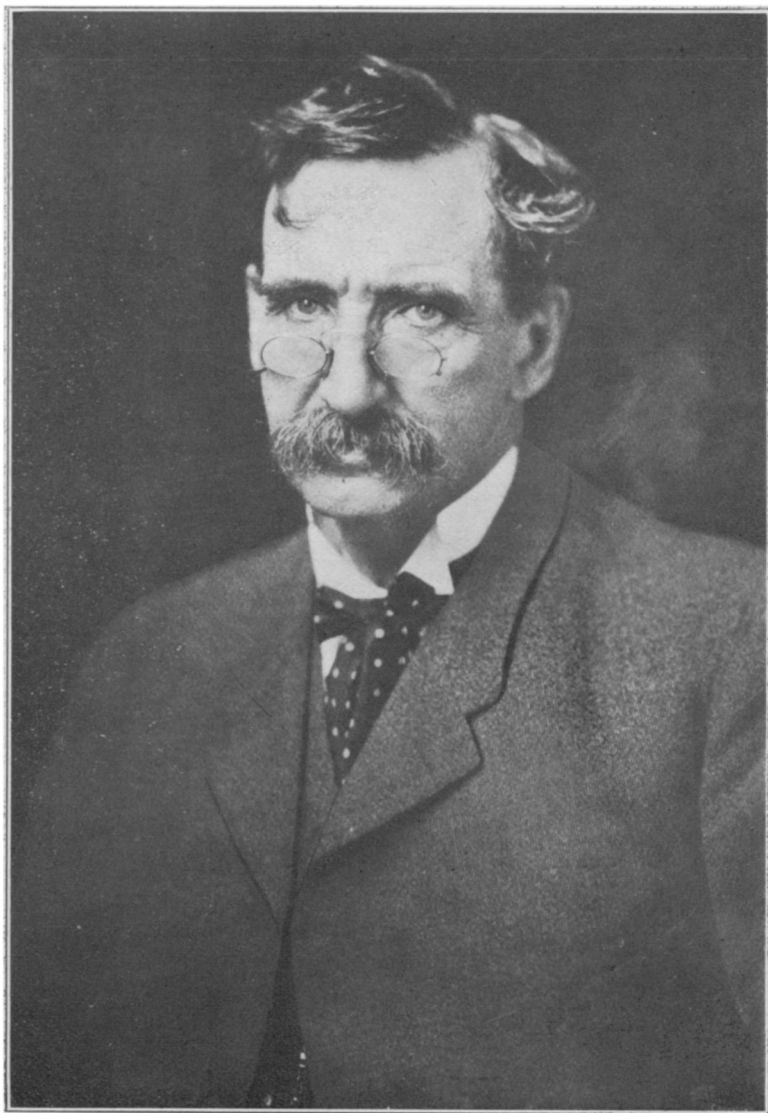
⁴⁸ Pamphlet in possession of the Wisconsin Historical Society.

⁴⁹ *Sentinel*, April 22, 1890.

⁵⁰ *Manitowoc Pilot*, Aug. 16, 1890.

we as Germans have no peculiar interests, but that the universal well-being is ours also.”⁵¹ In the fires of the present world crisis and the testing of America, may we all learn that “it is by unity of speech and harmony of thought that the ultimate American is to be the light of civilization.”

51. Speech of Carl Schurz, cited in *Wis. Hist. Colls.*, XII, 310.



**WILLIAM DEMPSTER HOARD, GOVERNOR OF WISCONSIN,
1888-90**

From a photograph in the Wisconsin Historical Library